

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>4/12/2022</u>

SHAEL CRUZ, Individually, and On Behalf of All
Others Similarly Situated,

Plaintiff,

-against-

INDESTRUCTIBLE SHOES LLC,

Defendant.

1:21-cv-9937-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

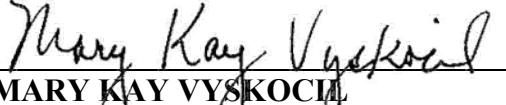
Plaintiff initiated this action by filing a complaint on November 24, 2021. [ECF No. 1].

An affidavit of service of summons and complaint was filed on the docket on February 16, 2022. [ECF No. 6]. According to that summons, Defendant's response to the complaint was due February 11, 2022. [ECF Nos. 6]. No response was filed, and Plaintiff has not prosecuted this case to date.

Accordingly, IT IS HEREBY ORDERED that any motion for entry of a default judgment shall be filed by May 12, 2022. Plaintiff is directed to follow the procedures applicable to default judgments under the Court's Individual Rules and Practices for Civil Cases, available at the Court's website. Failure to move for a default judgment by May 12, 2022 may result in dismissal of this action for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001).

SO ORDERED.

Date: April 12, 2022
New York, NY



MARY KAY VYSKOCIL
United States District Judge